

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hogenkamp *et al.*

Appl. No. 09/803,659

Filed: March 12, 2001

For: **Aryl Substituted Pyridines,
Pyrimidines, Pyrazines and
Triazines and the Use Thereof**

Confirmation No. 6633

Art Unit: 1624

Examiner: Balasubramanian, V.

Atty. Docket: 1861.1260001/JMC/THN

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Second Supplemental Information Disclosure Statement

Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on January 17, 2002 in connection with the above-captioned application. A copy of each document is provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language documents AS40 and AR47 cited on Form PTO 1449:

Document **AS40**, Cavallini, G., *et al.*, is in the Italian language. An English language summary is included therein, and an English language abstract of document AS40 is attached as document **AT40**.

Document **AR47**, Massarani, E., *et al.*, is in the Italian language. An English language summary is included therein, and an English language abstract of document AR47 is attached as document **AS47**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

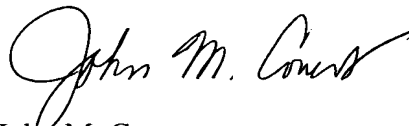
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this pleading is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John M. Covert
Attorney for Applicants
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Date: Feb. 8, 2002
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**REGISTERED PATENT AGENT
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February 8, 2002

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*Via Hand Carry
Group Art Unit 1624
Examiner V. Balasubramanian*

Re: U.S. Utility Patent Application
Appl. No. 09/803,659; Filed: March 12, 2001
For: **Aryl Substituted Pyridines, Pyrimidines, Pyrazines and
Triazines and the Use Thereof**
Inventors: Hogenkamp *et al.*
Our Ref: 1861.1260001/JMC/THN

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Second Supplemental Information Disclosure Statement;
2. Form PTO-1449 (15 sheets);
3. Copy of forty-five (45) cited documents; and
4. One (1) return postcard.

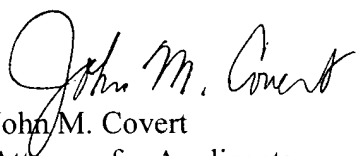
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
February 8, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John M. Covert
Attorney for Applicants
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Enclosures